

House Amendment 1791

PAG LIN

1 1 Amend House File 908 as follows:
1 2 [#1.](#) Page 1, line 11, by inserting after the word
1 3 <is> the following: <progressing toward completion of
1 4 an apprenticeship training program registered by the
1 5 office of apprenticeship of the United States
1 6 department of labor while>.
1 7 [#2.](#) Page 12, line 32, by striking the words <or a
1 8 successor agency>.
1 9 [#3.](#) Page 17, line 24, by inserting after the word
1 10 <board.> the following: <The board, in connection
1 11 with a proceeding under this chapter, may issue
1 12 subpoenas to compel attendance and testimony of
1 13 witnesses and the disclosure of evidence, and may
1 14 request the attorney general to bring an action to
1 15 enforce the subpoena.>
1 16 [#4.](#) Page 19, line 2, by inserting before the word
1 17 <PENALTY> the following: <CIVIL>.
1 18 [#5.](#) Page 19, by striking lines 3 through 6 and
1 19 inserting the following:
1 20 <1. In addition to any other penalties provided
1 21 for in this chapter, the board may, by order, impose a
1 22 civil penalty upon a person violating any provision of
1 23 this chapter. Each day of a continued violation
1 24 constitutes a separate offense, except that offenses
1 25 resulting from the same or common facts or
1 26 circumstances shall be considered a single offense.
1 27 Before issuing an order under this section, the board
1 28 shall provide the person written notice and the
1 29 opportunity to request a hearing on the record. The
1 30 hearing must be requested within thirty days of the
1 31 issuance of the notice.
1 32 2. A person aggrieved by the imposition of a civil
1 33 penalty under this section may seek judicial review in
1 34 accordance with section 17A.19.
1 35 3. If a person fails to pay a civil penalty within
1 36 thirty days after entry of an order under subsection
1 37 1, or if the order is stayed pending an appeal within
1 38 ten days after the court enters a final judgment in
1 39 favor of the board, the board shall notify the
1 40 attorney general. The attorney general may commence
1 41 an action to recover the amount of the penalty,
1 42 including reasonable attorney fees and costs.
1 43 4. An action to enforce an order under this
1 44 section may be joined with an action for an
1 45 injunction.>
1 46 [#6.](#) Page 19, line 20, by inserting after the word
1 47 <report.> the following: <The opening of an office or
1 48 place of business for the purpose of providing any
1 49 services for which a license is required by this
1 50 chapter, the announcing to the public in any way the
2 1 intention to provide any such service, the use of any
2 2 professional designation, or the use of any sign,
2 3 card, circular, device, vehicle, or advertisement, as
2 4 a provider of any such services shall be prima facie
2 5 evidence of engaging in the practice of a plumber or
2 6 mechanical professional.>
2 7 [#7.](#) Page 19, by striking lines 21 and 22 and
2 8 inserting the following:
2 9 <Sec. _____. NEW SECTION. 104C.30 ATTORNEY
2 10 GENERAL.>
2 11 [#8.](#) Page 19, by striking lines 26 through 28 and
2 12 inserting the following: <any provision of this
2 13 chapter.>
2 14 [#9.](#) Page 20, by inserting after line 27 the
2 15 following:
2 16 <Sec. _____. EFFECTIVE DATE. This Act takes effect
2 17 July 1, 2008.>
2 18 [#10.](#) Title page, line 3, by inserting after the
2 19 word <penalties> the following: <and providing an
2 20 effective date>.
2 21 [#11.](#) By renumbering as necessary.
2 22
2 23
2 24

2 25 SCHUELLER of Jackson
2 26 HF 908.501 82
2 27 jr/je/6378